

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES
DISTRICT TWO SUPERVISOR MARK GARDNER, PRESIDING
May 17, 2021

A. CALL TO ORDER

The May 17, 2021 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Mark Gardner, Board President.

Sheriff Bill Rasco opened the DeSoto County Board of Supervisors meeting in a regular session to hear all business before the Board of Supervisors. The following officials were present:

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Ray Denison	District 3
Supervisor Lee Caldwell	District 4
Supervisor Michael Lee	District 5
Sheriff Bill Rasco	Sheriff's Department
Misty Heffner	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Supervisor Mark Gardner offered the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA: ADDITIONS & DELETIONS

Supervisor Gardner asked if there was anyone who wished to add or delete items to the Agenda.

1. County Administrator Vanessa Lynchard requested to add the following:

- a. Constable's Annual Report, District 2 (Consent, F.5.b.)
- b. Animal Services – Update on Black Oak (Old, G.11.a.)
- c. Office of Finance & Accounting – Interfund Loan – Holly Springs Road (New, H.7.c.)
- d. Report on Meeting to Discuss MDOT Project on US Hwy 51 (New, H.19.)
- e. Federal Express Trucks on Hwy 305 (New, H.20.)

2. Supervisor Lee Caldwell requested to add the following:

- a. Animal Services – Update on A'Fair (Old, G.11.b.)

3. Supervisor Mark Gardner requested to add the following:

- a. District 2 Constable – Clarification on Equipment Furnished by County (New, H.21.)

4. Sheriff Bill Rasco requested to add the following:

- a. Request to Declare Helicopter Surplus Property for Sale (New, H.7.d.)

5. Planning Director Bennie Hopkins requested to delete the following:

- a. Gill Manor Minor Lot – (Planning, I.4.c.)

6. Human Resources Director Carla Crockett requested to consider the following for Executive Session:

- a. EMS – Resignation – Joshua Rodgers

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the Agenda with the additions, deletions and corrections as set forth above.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

E. CITIZEN REMARKS & PRESENTATIONS

1. 5175 & 5157 Center Hill Road – Ashley Bishop

Mrs. Bishop was not present.

Supervisor Gardner asked if there was anyone present to speak to the Board on an item not listed on the agenda. No one came forward.

F. CONSENT AGENDA

1. Office of Finance & Accounting

a. Budget Amendments – MS Code 19-11-19 – Animal Services, Sheriff Fees/Patrol & Law Enforcement, Chancery Clerk Land Records, Sheriff’s Department

Fund/Department #		001 / 445				
(1)	Animal Services					
		YEAR TO DATE	ADOPTED BUDGET			REVISED BUDGET
ACCT #	LINE ITEM			INCREASE	DECREASE	
	REVENUE					
001-000-370	Animal Shelter Donations	\$ 4,235.00	\$ 4,195	\$ 40		\$ 4,235
	EXPENSE					
001-445-698	Canine Supplies - Food	\$ 7,816.18	\$ 22,805	\$ 40		\$ 22,845
	TOTALS	OVERALL INCREASE \$40				
Reason for Request:	Increase revenue and increase expenses to account for recent restricted donations given to the animal shelter.					
	Fund/Department #	001 / 200 & 202				
(2)	Sheriff Fees / Patrol and Law Enforcement					
		YEAR TO DATE	ADOPTED BUDGET			REVISED BUDGET
ACCT #	LINE ITEM			INCREASE	DECREASE	
	REVENUE					
001-000-215	Sheriff Fees	\$ 264,246.35	\$ 349,450	\$ 3,900		\$ 353,350
001-000-244	Sheriff Grant Revenue - OD2A	\$ 98,691.06	\$ 297,747	\$ 1,975		\$ 299,722
	EXPENSE					
001-202-587	Training & Registration	\$ 35,301.49	\$ 59,800	\$ 5,875		\$ 65,675
	TOTALS	OVERALL INCREASE \$5,875				
Reason for Request:	Increase revenue and increase expense to account for reimbursement revenue received from various entities for training as well as additional OD2A grant revenue.					
	Fund/Department #	001 / 101				
(3)	Chancery Clerk Land Records					
		YEAR TO DATE EXPENSES	ADOPTED BUDGET			REVISED BUDGET
ACCT #	LINE ITEM			INCREASE	DECREASE	
001-101-556	Recording Fees	\$ 6,670.00	\$ 11,400		\$ 950	\$ 10,450
001-101-600	Record Books/Binders/Dockets	\$ 1,206.42	\$ 3,300	\$ 950		\$ 4,250
	TOTALS		\$ 14,700	\$ 950	\$ 950	\$ 14,700
Reason for Request:	Delay in migration to paperless board minute books required a need to purchase more physical books/paper. Able to fund request out of current budget.					

	Fund/Department #	001 / 200, 202, 225				
(4)	Sheriff Department					
		YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
ACCT #	LINE ITEM					
	Sheriff Administration					
001-200-475	Mileage and Other Travel Cost	\$ 16,947.41	\$ 18,300	\$ 3,500		\$ 21,800
	Patrol/Law Enforcement					
001-202-587	Training & Registration	\$ 35,301.49	\$ 65,675		\$ 3,500	\$ 62,175
	Rescue Unit					
001-225-571	Dues and Subscriptions	\$ 957.00	\$ 1,400	\$ 250		\$ 1,650
001-225-922	Other Cap Outlay Over \$5000	\$ -	\$ -	\$ 7,445		\$ 7,445
001-225-617	Rescue Supplies	\$ -	\$ 6,000		\$ 815	\$ 5,185
001-225-921	Other Cap Outlay under \$5000	\$ -	\$ 5,500		\$ 2,500	\$ 3,000
001-225-925	Radios	\$ -	\$ 6,000		\$ 4,380	\$ 1,620
	TOTALS		\$ 102,875	\$ 11,195	\$ 11,195	\$ 102,875
Reason for Request: Reallocate funds to line items where necessary.						

b. Budget Amendments – MS Code 19-11-19 – Sheriff’s Department (for FY22 ammunition)

DeSoto County, Mississippi
BUDGET AMENDMENT REQUEST
May 17th, 2021 (approved during May 3rd BOS mtg)

	Fund/Department #	001 / 202 & 999				
(1)	Sheriff's Dept / Ending Cash					
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
001-202-613	Law Enforcement Supplies (Ammunition)	\$ 102,734.73	\$ 162,500	\$ 89,981		\$ 252,481
001-999-999	Ending Cash	\$ -	\$ 33,534,309		\$ 89,981	\$ 33,444,328
	TOTALS		\$ 33,696,809	\$ 89,981	\$ 89,981	\$ 33,696,809

Reason for Request: Per May 3rd Board of Supervisors meeting, transfer funds from ending cash to Sheriff's Department ammunition line item to cover the cost of purchasing FY 2022 ammunition prior to the cost increase June 1st. This is saving the County \$16,037.

Requested by: Sheriff Bill Rasco / Donna Ford

c. Final Inventory Dispositions - IT

DEPT NAM	Information Technology							DEPT #:	152	
ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
38025	ACER 19" LCD MONITOR	ETL780C0186490654400	will not power on	07	209	IT Disposal	05/03/21	F.Hopper	Ewaste	
41477	DELL 22" FLAT MONITOR	CNOU828K744450BQBUG	lines on screen	11	300	IT Disposal	05/03/21	F.Hopper	Ewaste	
43152	DELL OPTIPLEX	9QCMWC1	bad motherboard	12	160	IT Disposal	05/03/21	F.Hopper	Ewaste	
43167	SAMSUNG 21.5" MONITOR	ZVC4HTJC902186	bad connection port	12	136	IT Disposal	05/03/21	F.Hopper	Ewaste	
43170	SAMSUNG 21.5" MONITOR	ZVC4HTQC800809	will not power on	12	136	IT Disposal	05/03/21	F.Hopper	Ewaste	
43539	HP LASERJET	PHGFC11496	will not feed paper	14	287	IT Disposal	05/03/21	F.Hopper	Ewaste	
43905	DELL OPTIPLEX	2CJ97C1	bad hard drive	13	160	IT Disposal	05/03/21	F.Hopper	Ewaste	
43906	DELL OPTIPLEX	JC4L0F1	bad usb ports	13	160	IT Disposal	05/03/21	F.Hopper	Ewaste	
45992	OPTICA HD INDOOR DOME CAMERA	KD149E0385	broken lens	16	167	IT Disposal	05/03/21	F.Hopper	Ewaste	
46180	DELL WYSE	583DCF2	bad ports	16	260	IT Disposal	05/03/21	F.Hopper	Ewaste	
46237	IPHONE 5S	DX3Q77LDFFDQ	not updateable	16	349	IT Disposal	05/03/21	F.Hopper	Ewaste	
47554	DELL MONITOR	4HLRHF2	screen dark	17	245	IT Disposal	05/03/21	F.Hopper	Ewaste	
47566	DELL MONITOR	HGLRHF2	will not power on	17	245	IT Disposal	05/03/21	F.Hopper	Ewaste	
48154	AXIS CAMERA /OUTDOOR REAR	ACC8E840FC6	will not connect	18	600	IT Disposal	05/03/21	F.Hopper	Ewaste	
48453	IPHONE 7 /SPARE	DX3WV68EHG7F	broken screen	18	549	IT Disposal	05/03/21	F.Hopper	Ewaste	
49006	APPLE IPHONE 7	DX3XWJBYHG7F	will not charge	19	549	IT Disposal	05/03/21	F.Hopper	Ewaste	

AUTHORIZATION TO DISPOSE		INVENTORY CLERK INFORMATION	NOTES
SIGNED BY: <u>Felicia Hopper</u>	DATE: <u>03/25/21</u>	PRELIMINARY PRESENTED TO BOS	
PRINT NAME: <u>Felicia Hopper</u>		4/5/2021	
DISPOSED BY: <u>Felicia Hopper</u>	DATE: <u>04/23/21</u>	FINAL PRESENTED TO BOS	
PRINT NAME: <u>Felicia Hopper</u>		5/17/2021	
INV CLERK: _____	DATE: _____	DATE INVENTORY DISPOSED IN A \$400	
		DATE BOS FINAL MINS ATTACHED	

d. Report of Expenditures & Liabilities – MS Code 19-11-23

e. Request to Accept FY2020 Invoice & Continuing Disclosure Submissions

2. Inmate Meal Log Affidavits (3) MS Code 19-25-74

3. EMS Monthly Report

April 2021

Number of ambulance runs billed: 160
Amount billed: \$ 91,863.51
Amount collected: \$ 56,186.62
Un-collectable amount: \$ 27,053.69

	Eudora	Lewisburg	Walls
Dispatched Calls:	58	95	86
Refusals:	3	12	13
Standby Only:	1	2	4
Billed:	47	57	54
Other:	7	24	15

- 2 transports under unit 91

Other = unable to locate patient, treated and transferred, treated and released, no treatment required, no patient found, dead at scene, cancelled and unknown.

4. Justice Court Monthly Settlement

April 2021

Criminal Cases Filed	261
Civil Cases Filed	601
Traffic Tickets Filed	1,209
Total Cases Filed	2,071
State Assessments	\$121,355.55
County General Fund	\$164,123.57
DPS	\$9,487.25
Total Collections	\$294,966.37

5. Constables' Annual Financial Report

- a. Keith Combes
- b. Mitzi Hodge

6. Business Investment Incentives – Final Resolution

- a. Phoenix Assurance, LLC 10-Yr. Real Property (New)
\$39,350,000.00 (Effective: 01/01/2021 through 12/31/2030)

7. Enter Into the Formal Record and Make a Part of the Board Minutes:

- a. Fire Protection Agreement with City of Olive Branch – Fully Executed
- b. Spectra Laboratories, Inc. - Fee In Lieu Documents – Fully Executed
- c. Letter of Support – City of Hernando Tourism Grant for Dickens Christmas
- d. Modernization Expenditure Report FY20

Supervisor Medlin asked if the Fire Protection Agreement with Olive Branch was mostly area approved in the annexation. Mr. Nowak stated it actually all is; but the agreement was already approved by and signed by all parties so it needs to be a part of the Board minutes. He stated upon finalization of the annexation, the contract will be terminated and the current year fire tax

distributions will be prorated. Supervisor Medlin asked if there were areas that were not annexed that Olive Branch would be responsible for. Mr. Nowak said he did not think so; but he would be meeting with Chief Olson to be sure.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Consent Agenda as presented including Constable Mitzi Hodge’s financial report.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit F.

G. OLD BUSINESS

1. COVID 19 Update

a. Statistics, Vaccinations & Testing

EMS Director Mark Davis stated DeSoto County has had a total of 21,646 COVID cases. He stated there are 318 active cases which is down 40 from last month. Director Davis stated the 7-day trend shows about 306 positive cases; with the 14-day trend showing 352. He stated there have now been 260 deaths which is up 5 from last month.

Director Davis stated there have been 48,647 total vaccines with 41,557 of those receiving both doses; which is about 22% of DeSoto County’s population. Director Davis stated the Health Department nurse will take shots to shut-ins within a certain mileage range if they have any left at the end of the day. He also said Funderburk’s Pharmacy said they will go to shut-ins.

Director Davis stated the Health Department is working with the City of Southaven as they want to move inside. He said the Landers Center is booked with graduations for a few weeks; so they are looking at Southaven’s storm shelter on Highway 51.

Supervisor Gardner said he listened to Dr. Dobbs and he said that masks are still recommended even though the mask mandate has been lifted. Director Davis said as long as people have had both vaccines, they do not need a mask; but if they have not been vaccinated it is recommended they wear one.

Sheriff Rasco stated he got a letter from the President saying he had not received his shot. He also noted that Kroger, Walmart, and Target are reviewing their policies that employees have to wear masks.

Supervisor Gardner said in talking to some hospital employees, they say that wearing masks and people being cognizant of washing their hands helped with the flu season to make it lighter.

See Exhibit G.1.a.

b. Determination to Extend Emergency Proclamation – Signature Required

Director Davis said he does recommend keeping the emergency proclamation in place for another month just to be on the safe side and to look into CARES Act grants.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to extend the emergency proclamation until June 21, 2021 and include Director Davis’ report in the Board minutes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit G.1.b.

2. Project Updates

a. Amazon Project Approval to Advertise – Signature Required

Mr. Tracy Huffman stated this is for the work for the extension of Progress Way to Hacks Cross Road, for an acceleration lane on Highway 302 and they are asking for permission to advertise for bids.

Supervisor Medlin asked if this was a state project. Mr. Huffman stated it a locally funded project through DIP Grants. He stated the CE&I will be 7.5% of the construction amount.

Mr. Huffman stated this project includes a signal and that they will likely have to bid, award, and perhaps suspend the contract at some point due to lead time for signal supplies. He said there is about a 6-month lead time for that.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize advertising for bids for the Amazon Project as presented and authorize the Board President to sign.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit G.2.a.

b. Holly Springs Segment 2 Subcontracts – Signature Required

Mr. Huffman said the first subcontract is for concrete bridge railings from American Field Services.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve American Field Services as a subcontractor for concrete bridge railings on Holly Springs Road Segment 2.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Mr. Huffman stated the second subcontract is for wick drains from Menard Ground US.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve Menard Ground US as a subcontractor for wick drains on Holly Springs Road Segment 2.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>

Supervisor Michael Lee, Fifth District

YES

See Exhibit G.2.b.

c. Ingram’s Mill Road Bridge Subcontract – Signature Required

Mr. Huffman stated this is for striping from Riverside Traffic. He stated they are now decking the bridge.

Supervisor Jessie Medlin made the motion and Supervisor Ray Denison seconded the motion to approve Riverside Traffic as a subcontractor for road striping for the Ingram’s Mill Road Bridge project.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit G.2.c.

Supervisor Medlin informed the Board that they are adding lanes to Hwy 305 in front of the new school. Supervisor Caldwell said the school is paying for that.

3. Engineering Contract

Road Manager Robert Jarman stated the Board tabled this last meeting for a final presentation of how billing from Waggoner would be presented. He said he has met with Mr. Huffman and basically the engineering fee is 7.5% based off their estimate, is a lump sum, and will not fluctuate. He stated the construction amount is 7.5% based off total construction costs and will be a true up at the end of construction. Mr. Jarman stated the original question was on the design side, but they have determined nothing was getting paid over the estimate.

Supervisor Medlin asked how they figured the lump sum. Mr. Huffman stated they will go over the design with the Road Department and decide what the estimate is and 7.5% of that will be the lump sum fee for design. He said once the bids are brought to the Board and awarded, 7.5% of the award amount will be for CE&I services.

Mrs. Lynchard stated the County will still have to budget utility relocation and right of way acquisition above Waggoner’s cost. Mr. Jarman stated he wanted to be sure the Board was clear on what the cost would be and he thinks everything has been worked out.

Supervisor Medlin asked if Waggoner acquired the right of way. Mr. Huffman stated the Board Attorney does that. Supervisor Medlin asked if the maps & deeds development was in the design cost. Mr. Huffman stated it has not always been, but will be moving forward on locally funded projects, although they cannot estimate an appraisal cost. Mr. Nowak stated they will use waiver valuations whenever they possibly can. Mrs. Lynchard stated no board action was required, and this will be the procedure moving forward if the Board agrees. The Board agreed.

4. Intergovernmental Sale of Assets – Signature Required (Previously Approved)

- a. Tchula Police Department**
- b. Lambert Police Department**

Mr. Nowak stated both agreements are Intergovernmental Transfer Agreements that state they will transfer the assets for the sum of \$1.00, the entities purchasing will pick up, and there are no warranties or guarantees on the cars, light bar, or body armor.

Supervisor Gardner asked if there would be any liability on the body armor. Mr. Nowak stated the agreements say “as is”.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize the Board President to sign the Intergovernmental Sale of Assets with Tchula and Lambert, as presented and previously approved.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit G.4.a. & G.4.b.

5. Justice Court Construction – Road Maintenance

a. MOA With City of Hernando

Mr. Jarman stated the MOA is ready to be signed. Mr. Nowak stated the City of Hernando has approved and signed the agreement. He stated the section of road the County will maintain and repair is from the Sheriff's administration building parking lot entrance south to the Jail parking lot; the County will maintain the road until construction is complete and after that will restore the road to city standards. He stated the County will be in contact with the City during construction.

Supervisor Medlin asked what would happen with Oak Grove Road where County trucks have been hauling from the site to the cemetery. Mr. Jarman stated they are hauling that for the City so he felt that is the City's responsibility. Mr. Nowak stated the only other section of road that might require County repair in the future would be Industrial Drive from the Sheriff's parking lot to Vaiden.

Mr. Jarman stated he spoke with Lee at the City and during the construction phase of Justice Court, the County will keep the road in construction condition. He stated he also talked to Mr. Lauderdale about the spot they had to keep digging out. He said Mr. Lauderdale stated that used to be a creek that was filled in when the road was built. Mr. Jarman stated they will lay in 4-inch rock, fabric, #610 rock; and when that settles, they will spray it with a temporary cover and keep it up.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the MOA with the City of Hernando and the plans for temporary and long term repairs for Industrial Drive until construction of Justice Court is complete.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit G.5.a.

b. Temporary Repair

See motion and vote above.

c. Long Term Repair

See motion and vote above.

d. Funding for Project

Mr. Jarman stated they are looking at about \$13,000 for the temporary repairs in just the torn up areas. He stated when they begin the long term repairs, he will request the City to approve the steps as they go. Supervisor Caldwell recommended taking lots of pictures. Mr. Jarman agreed. Supervisor Medlin said she thought the Board should ask the City to pay for half the overlay.

Mr. Jarman asked if the Road Department would get reimbursement out of another fund. Mr. Nowak stated they can use the road maintenance funds.

Supervisor Caldwell asked Mr. Jarman to take pictures of Oak Grove Road also.

6. Courthouse Repair Update

Mrs. Lynchard stated she spoke with Mr. Tingle at Archives and History and there is a process for removing the Courthouse from the historical register. She stated it has to be published in the newspaper, have a public hearing, submit to MS Archives and History, and they have to approve it being removed. She said they do not want the County to ask to remove the Courthouse.

Mrs. Lynchard stated she spoke with Mr. Justin Zahner and he said their firm does a lot of work for MS Archives & History. He said he talked to Mr. Tingle and thinks they will be lenient. Mrs. Lynchard stated they talked about the cost of some of the options for windows and the cupola. She stated Mr. Zahner looked at the cupola and even though it was fixed a few years ago; going back with the same materials was not lasting. Mr. Houston stated there is a lot of rotten wood; and Mr. Zahner thinks we will be able to go back with something that has the same look. Supervisor Denison stated there is a Hardy product that looks like wood and the cupola could be fixed to be maintenance free. Supervisor Denison said he felt like Archives & History should let the County do what they want with the windows and cupola because of maintenance and energy. Mrs. Lynchard said they are probably not going to be lenient on the windows. She said Mr. Zahner suggested getting a list together and assess what the windows really need. She said he will have to remove a window to see what the problems are. Mr. Houston stated they took out a windowsill last week.

Mrs. Lynchard stated Mr. Zahner said the leak in the courtroom will have to be fixed or it won't do any good to fix the plaster. She stated Mr. Zahner stated he would come and assess all the windows and the cupola for \$4,000. She stated the MS Code says all bidders have to be pre-qualified to do work and that will take about a month. She said the scope of work would be assess windows, water intrusion and cupola. Supervisor Denison said he thought that was reasonable if Mr. Zahner did a thorough assessment. Mrs. Lynchard stated he will bring somebody with him and they will assess each window. She stated this will require a budget amendment.

Facilities Director Shawn Houston stated Mrs. Christie Barclay did a PowerPoint presentation to show before and after pictures of what Facilities has already accomplished. The Board thanked Mr. Houston for the good work from his department.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize Justin Zahner to make an assessment of windows, water intrusion and cupola as presented and approve a budget amendment for \$4,000 for the assessment contingent on him providing window measurements.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit G.6.

7. American Recovery Fund

Mrs. Lynchard stated to get into the system you must turn in three pieces of identification from a list to identify yourself and each piece must have exactly the same name. She stated Mrs. Freeze tried and could not get into the system; so they tried Mrs. Sheila Garrett thinking she could because she works with grants, but she could not get through either. Mrs. Lynchard stated she

called a few people in other counties and some have not tried yet; but nobody she talked to has been successful. She said they will continue to pursue the system.

Supervisor Gardner stated he talked to Chris Shelton from E911 and Chief Chris Olson and they said 3 MS WIN towers around the County to improve emergency communication would be about \$6 million, \$2 million per tower. He also noted that Lt. Gov. Hosemann came before COG and said to hold onto the money to see if the state can get matching funds.

Mrs. Lynchard stated the money can only be used for roads if there is a loss of income. She stated they are hoping to use some for the Justice Court building and moving the Tax Collector. Mr. Nowak mentioned the Horn Lake Interceptor sewer project.

8. Energy Project

Mrs. Lynchard stated all requirements from MDA that they know of have been satisfied. She stated now it is time for the Board to decide if they want to proceed and how to pay for it. She stated the stipulations are the same as the last project in that the utility rate is built into the project at 2.5% per year whether there is a rate increase or not. Mrs. Lynchard stated the guarantee is built into the project for three years; and if the County continues the guarantee it will cost \$6,000 per year.

The Board discussed financing, leasing and paying directly. The approximate cost is \$2,890,000. Supervisor Gardner asked if Mr. Steve Pittman thought the County could pay cash and maintain their current bond rating and keep ending cash at above acceptable levels. Mrs. Lynchard affirmed and said Mr. Pittman said it becomes a matter of budgeting in one fiscal year to another, depending on the time frame.

Supervisor Denison asked about the mandate from MDA requiring an audit. Mr. Nowak stated you don't have to; but they recommend using an energy expert to review the contract. Mrs. Lynchard said she thought that was a good idea.

Supervisor Caldwell stated this Board knows they have to deal with the chiller and she thinks that makes the energy project a good investment for the County. Supervisor Gardner agreed and said this is an investment in energy savings with a guaranteed rate of return.

Supervisor Denison asked what the real number on savings is. Mr. Byrd stated the total identified savings is \$3.9 million and they guarantee 85% of that; so the guaranteed savings is \$3.5 million over 15 years.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to move forward with securing quotes from energy engineers/auditors to review the energy project.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

9. Software Update

IT Director John Mitchell stated the finance portion is going to transition to full live by the end of this month and they have already started paralleling. He stated HR, payroll, ExecuTime and Advanced Scheduling is supposed to transition to full live the first of July. Mr. Mitchell stated they found a lot of things out doing the parallels. He stated the last component includes the Road Department for work orders and integration as it will tie into payroll for time on projects, to finance to track projects; and that will probably be an August/September time frame.

Mr. Mitchell stated Planning is live and working out kinks; Justice Court is live and have fixed

some issues. Mrs. Lynchard stated all of these departments have been working from can to can't. She stated they have been doing dual entries for every purchase order and every bill entering them into both systems. She stated Mrs. Irving is now doing contracts and it is a killer; but it will be fabulous once all the information is in the system. She said they tackled Facilities first because they have quite a few contracts.

Supervisor Gardner asked Mrs. Heffner if she hired extra help when they were switching over and entering data. Mrs. Heffner said her department just worked longer hours. Mr. Mitchell stated every department has been offered extra help; but you end up spending more time getting people up to speed.

Mrs. Lynchard stated IT has been helping the departments. She said Mr. Alberson has been the lead person on core financials with Purchasing and Accounting; Mr. Hill took care of Planning; and Mrs. Hopper took care of Justice Court. She stated this is a bigger undertaking than everyone thought.

Mr. Mitchell asked the Board to let him know if they hear anything about a problem as he wants to be sure they are hearing facts; and he wants to know of any problems. Mrs. Lynchard stated Planning has had problems, especially with the integration to financials.

10. FY19 Audit Report Update

Director of Finance Andrea Freeze stated the State has sent CLA their review and they had 8 pages of correction for CLA to make. She stated she had also been through the audit report to try and speed up the process. Mrs. Freeze stated there was a finding she disagreed with; and she discussed it with the last firm and had them send an email to confirm; so she is hoping that will go away since it has been dealt with.

Mrs. Freeze stated she spoke with two people at the State Auditor's office and they do not recommend going with another firm at this point because it would put the County even further behind. She stated this process has been very difficult, especially with the pandemic. Mrs. Hanks stated the Auditor's office is taking responsibility because they recommended CLA to the County; and they said they will stay on CLA. Mrs. Lynchard stated the County will lose their bond rating if this report is not turned in in two weeks. She said CLA should be finishing the 2020 audit right now; and they are just finishing the 2019 audit. She said the State Auditor's office is asking the County to stay with CLA for another year. Mrs. Freeze asked if Mr. Nowak could review the contract to see if the County has to pay the full amount since the County did not receive the audit in the correct time frame. Mrs. Freeze noted it is a very clean financial audit and so is the compliance audit.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to allow the firm of Smith, Phillips, Mitchell, Scott and Nowak to work with Finance on the contract with CLA to see if the County owes the full amount of the contract.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

11. Animal Services

a. Update on Black Oak

Animal Services Director Monica Mock stated they are supposed to go to court this week. She requested that the Board allow her to meet with the owner and offer a discount to surrender the dog. Mrs. Mock stated the owner owes Animal Services \$580.00 if they have met the specifications required to keep a dangerous dog. She requested to offer to allow him to pay the \$150.00 quarantine fee and drop the charges against him. Mr. Nowak stated if the owner agrees; there will have to be some kind of written agreement. Mrs. Mock asked what if the man

surrendered the dog and refused to pay anything. Supervisor Denison said he would be okay with that just to keep the dog from going back to the owner.

Supervisor Ray Denison made the motion and Supervisor Jessie Medlin seconded the motion to authorize Mrs. Mock to an initial offer for the owner to pay the \$150.00 quarantine fee and drop all charges if he surrenders the dog, but approve waiving all costs if it will result in a surrender; and authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to draw up an agreement if he takes the offer.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

b. Update on A’Fair

Mrs. Mock stated A’Fair was wonderful and they adopted 18 of the 19 animals they took. She said only one adult cat was left. Mrs. Mock stated they took the adoption trailer to Kroger two weeks ago and had 8 adoptions.

Supervisor Caldwell asked what the head count is. Mrs. Mock said she thought they had 131 animals.

Supervisor Gardner asked if they went to the pet stores. Mrs. Mock stated they did Petco once; but the rescue groups were there and they charge more for adoptions because their animals are fully vetted. She said they pulled away from that to not have any hard feelings with the rescue groups.

H. NEW BUSINESS

1. Summer Intern for Youth Court

Judge Craig Treadway stated his nephew wanted to come and work as a summer intern; but he has gotten another job. He stated he would like to hire a summer intern as he has some projects they want to accomplish. He requested having the intern for June and July and keep them under 20 hours per week at \$10 per hour. Judge Treadway stated he worked as a summer intern at Justice Court when he was in college and he really learned a lot.

Supervisor Gardner suggested giving the intern a 1099 as a contractor and have the individual pay their own taxes.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to authorize a summer intern for Youth Court, authorize the Board Attorney to draw up a simple contract, and amend the Youth Court budget to the correct line item.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

2. 9:30 a.m. – Liability Insurance Renewal

Mrs. Sarah Edmiston and Mr. Davy Hunt from SouthGroup Insurance were present.

Supervisor Gardner said the report looked like there were over 20 vehicles added. Mrs. Edmiston stated the number is a snapshot. Sheriff Rasco stated they keep the older cars on patrol

and surplus them as the new ones are outfitted and put on the road. Mrs. Edmiston stated there is a true up at the end of the year.

Mr. Hunt pointed out that the State of the Market report shows everything is going up on a global trend. He stated for DeSoto County; Workers Comp has done well and Auto has not performed well.

Supervisor Caldwell asked if that was from accidents and Mr. Hunt affirmed. Mrs. Edmiston stated the Sheriff's Department is performing a pit maneuver that is causing vehicles to be totaled. Sheriff Rasco stated the maneuver is to hit a car that is running from the officers in the rear of the vehicle. He stated they have had some vehicles totaled just because the air bag deployed. Supervisor Gardner asked if spike sticks could be used instead of the pit maneuver. Sheriff Rasco said it depends on the facts. He stated many crimes are from people coming across the state line and they try to make a run back north to get away. He said his officers do what they have to in order to stop the criminals from crossing the state line.

Supervisor Gardner asked if the rates went up because of the number of vehicles. Mrs. Edmiston stated they got really good records on equipment and autos this year. She stated they had to redo the applications and Mrs. Hanks did an excellent job. She stated Law Enforcement went up by 5 officers, which was the biggest increase; and the unrest in law enforcement all over the US is driving that number up. Mrs. Edmiston noted the County is reporting 32 new vehicles and 7 less trailers for a total of 511 vehicles. Mrs. Lynchard noted that the number hit just after a purchase and before the sale of surplus vehicles. Sheriff Rasco said they will be getting rid of the same number of cars they purchased. Supervisor Gardner asked if cars went on the insurance policy the day the County buys them. Mrs. Edmiston affirmed and said as soon as they go on the docket. She noted that disposals come off when the documentation goes through. She stated this is automatically done with the County's coverage.

Mrs. Edmiston stated the County's rate increase from Travelers is 9.3% to make a \$1,047,860.61 premium and 6.3% of that is exposure. She stated the national average is 15%.

Supervisor Caldwell said the County expects the Sheriff's Department to be tough on crime and they are. Mrs. Lynchard stated cyber is a small portion of what the County pays now. Mrs. Edmiston agreed and said it is \$7,340 this year. She stated that Travelers paid \$5 million on ransom ware on the pipeline incident. She stated cyber went from 0% to 7,000% this year and they are looking at double that next year; with a possibility of the insurance companies stopping writing it altogether. Mrs. Edmiston stated they had a small company that cost \$67,000 to get out of a cyber fraud situation. Supervisor Gardner stated it has been happening to some real estate companies in DeSoto County.

Supervisor Medlin noted that the County has been in a position in the past where no company would bid on this insurance. Mr. Hunt agreed and pointed out that DeSoto County was a lot smaller in 2013 and the premium is about the same. Mrs. Edmiston agreed and said a 15% increase over a 9-year period is not bad.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the renewal for liability insurance at a premium of \$1,047,860.61 as presented and authorize the Board President to sign the contract.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.2.

3. GIS – New Aerial Imagery Proposal

Mr. Rob Winkler, DeSoto County GIS Analyst, and Mr. Scott Trapalino, Olive Branch GIS Analyst, talked to the Board about buying software from a service that flies the County regularly. They stated the cities have expressed an interest in joining the service as well. Mr. Winkler stated he wanted to ask the Board's permission to take the information to the Council of Governments. There was much discussion regarding the service and the Board said they would like to have more information before sending this to COG.

IT Director John Mitchell said the idea was to find out if the Board is interested in the 3-inch imagery and if they are interested in a subscription which is more of a budgeted thing. He stated Mr. Winkler will prepare a thorough presentation and bring it to the Board to see before taking anything to COG.

4. 10:00 a.m. – Business Investment Incentives

a. Amazon.com Services, LLC – Free Port Warehouse

Mr. Jim Flanagan stated this request is on the Olive Branch facility. He stated the current Fee In Lieu was approved last year and the application for a Free Port Warehouse exemption was received. He stated his office is trying to find the exact date. Mr. Nowak stated there is no deadline for a Free Port Warehouse application; but they do have to file their inventory report with the Tax Assessor by March 31st. He stated the statute for application for exemption will relate back to January and the statute requires inventory to be filed by March 31st. He also noted the statute changed to include lease properties a few years ago.

Supervisor Medlin asked if the application was correct in noting Amazon had 1,440 employees. Mr. Flanagan affirmed.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Free Port Warehouse exemption for Amazon.com Services, LLC as presented, and authorize the Board President to sign.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.4.a.

b. Ozark Automotive Distributors, Inc.

10-Yr. Real & Personal Property (New)	\$ 65,268,060.52
(\$47,571,482.69 – Real + \$17,696,577.83 – Personal)	
(Effective: 01/01/2021 through 12/31/2030)	

Mr. Ron Greenway, Senior Director of Tax for O'Reilly Automotive Distributors and Subsidiaries stated they have almost 5800 stores. He stated Ozark is a subsidiary and they bought a 580,000 square foot facility in Core 5 in Horn Lake. Mr. Greenway stated they had just over 320 employees three weeks ago and expect to add more late summer to fall.

Supervisor Gardner said he has heard from people that O'Reilly is a great place to work.

Supervisor Caldwell stated that over half of the employees are DeSoto County residents and she encouraged O'Reilly to hire more. She asked if any employees were contract laborers. Mr. Greenway said no, that they lean heavily to full-time employees. He noted that as of today over 60% of their employees are DeSoto County citizens. He also noted they are currently running two shifts. Supervisor Caldwell asked if the front end would be open for retail. Mr. Greenway stated there will be a very small portion of about 4,000 square feet that will be retail; almost a will-call area.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the 10-Yr. Real & Personal Property exemption in the amounts of \$47,571,482.69 – Real + \$17,696,577.83 – Personal as presented, and authorize the Board President to sign.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.4.b.

- c. Milwaukee Electric Tool Corporation**
12385 Crossroad Dr., (Bldg. E) 5-Yr. Personal Property (Expanded)
\$ 779,688.00
(Effective: 01/01/2021 through 12/31/2025)

Mr. Chris Pace, Attorney for Milwaukee Electric Tool Corporation, stated Milwaukee Tool has been expanding rapidly across MS and particularly in Olive Branch the last five or six years. He stated this is the eighth year in a row they are here to ask for expansion exemptions. Mr. Pace stated the principal facility is 12385 Crossroad Drive and they share a parking lot with 8735 South Crossroad Drive behind them. He stated the facility at 12815 Stateline is within walking distance.

See Exhibit H.4.c.

Mr. Pace went on to present the requests from Milwaukee Electric Tool Corporation as follows:

- d. Milwaukee Electric Tool Corporation**
8735 S. Crossroad Dr. (Bldg. G)

1) Free Port Warehouse

Mr. Pace stated this is an overflow warehouse facility. See motion and vote at H.4.e.3. below.

See Exhibit H.4.d.1.

- 2) 5-Yr. Personal Property (Expanded) \$1,050,420.00**
(Effective: 01/01/2021 through 12/31/2025)

See motion and vote at H.4.e.3. below.

See Exhibit H.4.d.2.

- e. Milwaukee Electric Tool Corporation**
12815 Stateline Rd., E. (Bldg. J)

1) Free Port Warehouse

Mr. Pace stated this facility is principally to house products for Home Depot, and that Milwaukee is managing this inventory separately. See motion and vote at H.4.e.3. below.

See Exhibit H.4.e.1.

- 2) 10-Yr. Real Property (New) \$ 24,429,988.00**
(Effective: 01/01/2021 through 12/31/2030)

See motion and vote at H.4.e.3. below.

See Exhibit H.4.e.2.

- 3) 5-Yr. Personal Property (Expanded) \$ 9,665,818.00**

(Effective: 01/01/2021 through 12/31/2025)

Supervisor Medlin stated all three applications list 268 jobs added. Mr. Pace stated their employees can work at any building at any time, and they operate all three buildings as one company; so that number is for the three buildings combined. Mr. Flanagan noted that Olive Branch will get additional jobs as a result of Grenada getting the Milwaukee manufacturing facility.

Supervisor Medlin stated Milwaukee has been in DeSoto County a long time, and they are a good company. He stated they looked at moving a few years ago; but they stayed and added on. He said he has a lot of confidence in them.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Free Port Warehouse exemptions for 8735 S. Crossroad Dr. and 12815 Stateline Rd. East as presented; as well as the 5-Yr. Personal Property in the amount of \$779,688.00 for 12385 Crossroad Dr., the 5-Yr. Personal Property in the amount of \$1,050,420.00 for 8735 S. Crossroad Dr., the 5-Yr. Personal Property in the amount of \$9,665,818.00 for 12815 Stateline Rd. East; and the 10-Yr. Real Property in the amount of \$24,429,988.00 for 12815 Stateline Rd. East as presented, and authorize the Board President to sign.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.4.e.3.

5. Environmental Services – Household Hazardous Waste Day Update

Environmental Services Director Ray Laughter stated there were a total of 512 vehicles that went through HHWD. He stated it was a huge success and the lines had to shut down early because the contractor ran out of supplies. Mr. Laughter noted that volunteers went to the end of the line to shut down and no one came through and was turned away. The Board said they got a lot of expressions of appreciation from people for this service.

Supervisor Medlin said he would like to see a place that people could turn in hazardous waste year round and have it open part-time. Mr. Laughter stated the City of Memphis has a facility and all the municipalities put money in for the operation. He stated they operate 2 or 3 days a week and use trustee labor. He stated MDEQ would help fund a site like that.

Supervisor Gardner asked how many trustees were there. Supervisor Caldwell said there were 7. Mr. Laughter stated they usually have 12.

Supervisor Caldwell said the cities did not participate as much and she did not think they pushed the information out on their social media as much as they have in the past. She also noted that, while there might not have been as many vehicles as last year; the ones that came through were loaded. She said several HOAs put stuff on one truck or trailer and collected from the whole neighborhood.

Supervisor Gardner said the MDEQ representative said they might be able to fund a second HHWD. Mr. Laughter said he is waiting to hear from that.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to make the report of Household Hazardous Waste Day a part of the Board minutes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>

Supervisor Michael Lee, Fifth District

YES

See Exhibit H.5.

6. 3:30 p.m. - Justice Court Change Order #009 – Signature Required

Mrs. Lynchard stated this should be the last area to give problems. Mr. Wes Hutcheson stated was the last area in the building pad. Supervisor Medlin asked if the work had already been done. Mr. Hutcheson affirmed. Supervisor Gardner stated that will require filing a lawsuit in order for the County to pay the change order. Mr. Nick Kozlowski stated this is a change directive within contingency. Supervisor Gardner stated the County does not contest the bill; but they cannot approve an expenses after the fact. Mr. Hutcheson stated he felt like they were still working within the contingencies of the project. Mr. Kozlowski stated this issue was found the Friday after the last Board meeting and Mr. Hutcheson was working in good faith. Supervisor Gardner said the Board understands and appreciates that but they must follow the law.

Mr. Nowak stated the Board has to make all the findings on why the expense is warranted and approve the expense based on those findings, prior to the work proceeding. He stated if the Board approves; he can accept the service on behalf of the Board and it would not be a long process. He stated the last time the Board entered into an agree order, it happened quickly.

Mr. Hutcheson stated he thinks they are out of wet dirt in the building pad; but they will get into another area with the parking lot. He stated they are trying to hold off on doing the road as long as possible as they do not need complete access yet; and they are hoping to get into drier weather.

Mr. Kozlowski stated with this directive; they are at \$193,000 into the \$200,000 contingency. He asked what the process would be to go over. Supervisor Gardner stated the Board will have to amend the contingency.

Mr. Kozlowski asked if there was any way to preapprove the change orders. Mrs. Lynchard stated the Board could allow Mr. Houston as Project Manager to approve up to a certain amount within the contingency. Supervisor Gardner stated if the subsoil issues push the calendar back the Board will sign for an extension.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to accept service of process if suit is filed for the work that was performed and respond on behalf of the Board to enter into an agreed order to pay for the work described in Change Order #009 in the amount of \$52,701.00.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve Change Order #10 for soil borings up to \$5,000 contingent on Mr. Nowak's approval.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.6.

7. Office of Finance and Accounting

a. Preliminary Inventory Dispositions – IT, Sheriff’s Department

Inventory Clerk Stephanie Hanks stated this is the monthly IT inventory disposition of broken and outdated equipment.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the preliminary inventory disposition for IT as presented.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

DEPT NAM	Information Technology									DEPT #:	152	
ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL		
44262	OPTICA HD I/D CAMERA	KD14400382	will not power on	14	291	IT Disposal						
44350	OPTICA CAMERA EXTERIOR	K314300955	no video	14	379	IT Disposal						
44494	OPTICA EXT CAM	K3139E1793	no video	15	379	IT Disposal						
48445	IPHONE 7	F72WKE1THG7F	water damage & broken screen	18	549	IT Disposal						
AUTHORIZATION TO DISPOSE												
INVENTORY CLERK						NOTES						
INFORMATION												
SIGNED BY: <u>Felicia Hopper</u>						PRESENTED TO BOS						
DATE: <u>04/28/21</u>						5/17/2021						
PRINT NAME: <u>Felicia Hopper</u>						PRESENTED TO BOS						

Mrs. Hanks stated the Sheriff’s inventory disposition includes broken items and items that were stolen from an officer’s car. She requested the Board President sign the lost/stolen affidavit.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the preliminary inventory disposition for the Sheriff’s Department as presented and authorize the Board President to sign the lost/stolen affidavit.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

DEPT	SHERIFF'S DEPARTMENT			NRC = NON REPAIRABLE (COST)		K = THOUSANDS		DEPT		200
NAME:				NR = NON REPAIRABLE		H = HUNDREDS		LOC		
				DAS = DECLARE AS SURPLUS		D = DOLLARS				
ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
43212	DELL 20" MONITOR	MX0G324H74262 31T1JPL	Broken/Not repairable	2013	3h	SO				
40236	DELL 19" MONITOR	CN0T437R7287202523YI	Broken/Not repairable	2010	2h	SO				
45615	INTEL NUC PC I7 PC	G6RY60100JGU	Broken/Not repairable	2016	5h	SO				
42776	DELL 2007FP MONITOR	MX0G324H746228L1MML	Broken/Not repairable	2013	3h	SO				
	DELL Monitor	CNOWH320466336A5450S	Broken/Not repairable			SID				
48331	AVS Hameess Body Ammor	Size M/L	Stolen	2018	9h	N/A				
49315	Hesco Ammor 800 LIII Plate Set (L	03323372/73	Stolen	2019	1k	N/A				
43837	MOTOROLA H/H RADIO	481CQK4264	Stolen	2014	3k	N/A				
50221	Ammor Express Abrams Body Ammor		Stolen	2019	2k	N/A				
43507	ZEBRA MOBILE PRINTER	44A02PP10245	Broken/Not repairable	2014	1h	SO				
40932	RICOH COPIER/FUGITIVE	V12049005	Broken/Not repairable	2011	8k	SO				

AUTHORIZATION TO DISPOSE				INVENTORY CLERK		NOTES	
SIGNED BY:	Juan Martinez	DATE:	05/05/21	PRELIMINARY PRESENT TO BOS			
PRINT NAME:	Roger Hutchins/ Juan Martinez			May 17, 2021			
				FINAL PRESENT TO BOS			
DISPOSED BY:		DATE:		DATE INVENTORY DISPOSED IN AS400			
PRINT NAME:							
INV CLERK:	Karley M. Bryant	DATE:	05/05/21	DATE BOS FINAL MINS ATTACHED			

See Exhibit H.7.a.

b. Claims Docket – MS Code 19-13-31

Chief Financial Officer Andrea Freeze presented a page-by-page declaration of the Claims Docket and Deputy Director Stephanie Hanks brought invoice documentation to address any questions.

Supervisor Jessie Medlin had no questions.

Supervisor Mark Gardner asked about the following claims:

Page 9 – Butler Snow – Continuing Disclosure – Mr. Nowak stated the County has to make certain reports under SEC guidelines and Butler Snow handles that.

Page 14 – Lowes – Mr. Houston stated that was a hot water heater for the K-9 barn.

Page 27 – Anixter – The invoice showed a gooseneck talk through communicator, neck mic.

Page 29 – City of Olive Branch, Conerly – Mrs. Hanks stated this officer was hired from Olive Branch and the Sheriff’s Department had to refund his time.

Page 32 – Crye Precision – The invoice showed SID vests from a December 20 purchase order.

Page 52 – JD Mowing – Mr. Laughter stated that is Jimmy Doyle’s invoice for mowing parks.

Page 52 – Minor Fence & Decks – Supervisor Lee said that is the fence at Cockrum Park.

Page 54 – Superintendent of Education – Mrs. Freeze said that is the yearly diversion from the Federal Government that is split with the school district.

Page 69 – Progressive Tech – Courthouse Access - \$4,700 – The invoice showed 4 doors for access control installation.

Supervisor Ray Denison asked about the following claims:

Page 1 – Municipal Services Bureau – PCR Collection – Mrs. Hanks stated that is for Justice Court collections. She stated the money comes in and a portion goes to the collection agency.

Page 18 – Jurors & Witnesses - \$50,000 – Mrs. Hanks stated they allocate that money to the Circuit Clerk and she writes the jurors’ checks from her account. Mrs. Lynchard stated she returns the unspent funds.

Page 33 – Payment for December 12 – 18, 2020 – Mrs. Hanks stated an invoice was missed and they caught it up.

Supervisor Lee Caldwell had no questions.

Supervisor Michael Lee asked about the following claims:

Page 6 – Atmos – The invoice showed the Road Department cut a line with a cross drain replacement.

Page 30 – Gulf State Distributors - \$22,000 worth of ammo – Mrs. Irving stated this was a purchase order from October 2020. She stated the ammo comes in increments.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the items on the claims docket and authorize the Chancery Clerk to pay the bills as presented by the Finance Department.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.7.b.

c. Interfund Loan for Holly Springs Road

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the interfund loan for Holly Springs Road as presented.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.7.c.

d. Sheriff – Request to Declare Helicopter Surplus for Sale

Sheriff Rasco asked the Board to declare the helicopter as surplus in order for them to list it for sale. Mrs. Freeze stated they have the information and will bring it to a later Board meeting in the form of an inventory disposition.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to authorize the Inventory Clerk to surplus the Sheriff's helicopter with information to come at the a later Board meeting and authorize the sale of the helicopter.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

8. Grant Administration

a. Request Approval to Apply – Justice Assistance Grant – Youth Drug Court – Signature Required

Grant Administrator Sheila Garrett stated this is a renewal grant and it was decreased from \$81,000 to \$75,000. She stated she will try to send in a waiver to see if they will waive the County's match to make up the difference. Mrs. Lynchard stated if the match is not waived; it is paid out of court fines.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve applying for the Justice Assistance Grant for Youth Court as presented and authorize the Board President to sign.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.8.a.

9. Road Department

a. Discussion on Watson DeSoto Road

Supervisor Medlin stated this road is on the Marshall County line. He stated Mr. Howard came in about a year ago and got a subdivision approved and agreed to take down banks, straighten a curve, and gravel if DeSoto agreed with Marshall to pave the road. He said Marshall County agreed to do the contract and pay for half if DeSoto pays the other half.

Mr. John Crawley, engineer for Dale Howard, stated the pre-approval was conditioned upon straightening the road. He stated the road is in Marshall County and they have agreed to pay for half the paving.

Mr. Jarman stated the estimate in the packet has gone up, the revised is 1.15 per ton so it will be right around \$60,000. Mr. Crawley stated Marshall County got the first estimate and agreed to pay up to \$30,000.

Supervisor Caldwell said the road was on DeSoto County's road register; and Mr. Howard moved the road. She asked if the road was now in Marshall County. Mrs. Crowley said it will be moved to Mr. Howard's property line and the road will be in Marshall County. Mr. Young stated the road was put on DeSoto County's road register in 2018. Supervisor Caldwell asked who would be responsible for maintenance. Mr. Crowley stated Mr. Howard will build the road bed and ditches. Mr. Jarman stated the Road Department cuts the grass and maintains the ditches at this time.

Supervisor Caldwell asked how paving costs would be paid. Supervisor Medlin stated the cost would have to come from ending cash. He suggested having an agreement with Marshall County, Have Mr. Howard sign over right way and DeSoto pay half or up to \$30,000. He said they will need to work out who will maintain the road.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to work on an agreement with Marshall County that DeSoto County will pay half or up to \$30,000 to pave Watson DeSoto Road, Marshall County will take care of the paving, Mr. Howard will donate the right of way to Marshall County, and the funds will be paid out of the General Fund Ending Cash.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.9.a

10. Office of Procurement

a. Recommendation to Award Bid – Hot Mix Asphalt Patching & Milling – Bid File #21-300-004

Director of Administrative Services & Procurement Angie Irving stated they had 13 people register for the bid and only two submitted bids. Mr. Jarman stated they redid the specs because no one bid the year before. He stated they broke out the amounts per ton. Mrs. Irving stated this particular bid falls under construction.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to award the Hot Mix Asphalt Patching & Milling bid to Myfis, Jr. finding them to have the lowest and most responsive bid; and have Perry Paving be the alternate.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.10.a.

PERMANENT, MS 38032
BID TAB - Hot Mix Asphalt Patching FY21

PATCHING PROJECTS:				
	Myfis Jr Services		Perry Paving	
PREPPED PATCHING				
	Alternate	YES	Alternate	Yes
<20 Tons	\$	340.00	\$	349.50
21-50 Tons	\$	290.00	\$	323.85
51-100 Tons	\$	240.00	\$	259.10
101-200 Tons	\$	150.00	\$	207.25
>201 Tons	\$	100.00	\$	165.80
NON-PREPPED PATCHING				
<20 Tons	\$	350.00	\$	375.00
21-50 Tons	\$	325.00	\$	332.25
51-100 Tons	\$	300.00	\$	312.50
101-200 Tons	\$	200.00	\$	223.65
>201 Tons	\$	150.00	\$	208.25
Milling Projects:				
<20 Sq. Yard	\$	340.00	\$	1,092.85
21-50 Sq. Yard	\$	75.00	\$	315.85
51-100 Sq. Yard	\$	60.00	\$	171.50
101-200 Sq. Yard	\$	55.00	\$	80.25
>201 Sq. Yard	\$	50.00	\$	52.85
MOBLIZATION RATE PER STREET		\$800.00	\$	1,000.00
RECOMMENDATION: Award all patching projects to Myfis Services with Perry Paving as an alternate. The length of this bid will be 12 months.				

b. Annexation Information Request

Mr. Jarman stated the Road Department reached out to Olive Branch and they want the department to get together some information about the annexed area; but they have not given much time to gather the information. Supervisor Gardner said he wants this to be a smooth transition. Mr. Jarman agreed.

Supervisor Gardner said the Road Department had to make and emergency repair to a culvert in Rolling Hills. Mr. Jarman stated there may be another one this week. He said most of the information to transfer has already been put together. Mrs. Lynchard stated they will know more in the morning after they meet.

11. Advertising County Resources – MS Circuit Clerk’s Association

Mrs. Lynchard stated years ago Mrs. Thompson made this request and the Board gave \$250 from Advertising County Resources.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the clerk to write a check for \$250 from Advertising County Resources to the MS Circuit Clerk’s Association finding the event meets the guidelines of the policy adopted by the Board of Supervisors, in accordance with Section 17-3-3- of the MS Code of 1972; and the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.11.

12. Contract Administration

a. Triple AAA Vending Service Contract

Mrs. Irving stated she was notified that AAA Vending, the company that provides soft drinks and snacks throughout the County, does not wish to renew their contract. She stated COVID took a toll, but they did not have a very big volume before that. She stated the Sheriff’s volume is good and AAA said they will still service them under a separate contract. Mrs. Irving said only this one and one other vendor responded to the last bid. Mrs. Heffner stated people at court do use the machines.

Supervisor Caldwell asked if Mrs. Irving would check and see if they would leave the machines at the Courthouse and Justice Court. Mrs. Irving said she would check. She stated they will not do commission sales and there will probably be a price increase. Mrs. Lynchard stated things have been going out of date for a long time.

13. Job Description Update – Planning – Assistant Building Official

Planning Director Bennie Hopkins stated when they posted the Senior Building Official position they had two applicants. He noted that the municipalities are also having problem filling jobs. Mr. Hopkins requested to change the job description to say that ICC Certification as a building inspector is preferred rather than required. Mr. Hopkins stated he will have some internal candidates apply if this is changed; and they are willing to get that certification.

Supervisor Denison asked if there were any enticements for training or if the department expected people to come in with a knowledge of the job. Mr. Hopkins stated he would like them to have some experience in enforcement. He stated most inspections are residential home building and it is easy to train someone.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the change to the Assistant Building Official job description to read “ICC Certification as a building inspector is preferred”.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.13.

14. Symetra – Long Term Disability for Elected Officials – Change in Eligibility Hours

Mrs. Crockett stated that long term disability was offered as an option to all elected officials. She stated Symetra created a Class 2 with weekly hours worked provision of 30 hours. She stated Symetra would like to change that to 20 hours so it is easier for County government to attest the hours. Mrs. Crockett requested permission for Symetra to craft an amendment to that effect.

Supervisor Medlin asked if employees paid this type premium. Mrs. Crockett affirmed and said no elected officials have this coverage at this time.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to allow Symetra to change the hours worked provision for elected officials for long term disability to 20.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.14.

15. Authorization to Increase Credit Limits to State Issued Travel Credit Cards

Mrs. Irving reminded the Board they allowed Procurement to apply for travel cards to use for the Sheriff's Department when they travel to get prisoners or for training. She stated one credit card has a \$5,000 limit and the other three have \$2,500 limits. She stated the State's policy is that the cards have to reconcile once a month; and that does not usually leave enough on one card to be able to book another travel. Mrs. Irving stated every time a trip is booked, Procurement checks to be sure it is cheaper to do that than hire an agency. She stated the card has parameters and cannot be used for anything other than travel, hotel, and conference/training registrations. Mrs. Irving stated the average cost per trip is \$1,700 to \$1,800. Mrs. Lynchard stated MDOC used to pay for extraditions; but now the Sheriff's Department has to foot the bill. She said she did not think the training happened very often.

Supervisor Gardner said he would prefer to make the limits more than deputies have to use their own credit cards and get reimbursed.

Supervisor Medlin asked if Mrs. Irving was asking for a \$10,000 limit on all four cards. Mrs. Irving affirmed. Supervisor Medlin asked if Procurement would monitor the cards. Mrs. Irving affirmed and stated they will make sure they are saving money on travel.

Supervisor Jessie Medlin made the motion and Supervisor Ray Denison seconded the motion to approve raising the limits on all four state issued travel cards to \$10,000 each.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>NO</u>
Supervisor Michael Lee, Fifth District	<u>NO</u>

16. Report on Congressional Virtual Call

Supervisor Gardner stated they had a Zoom call with staff members, Cong. Kelley, Sen. Cindy

Hyde-Smith, and Sen. Wicker and every subject was infrastructure. Supervisor Caldwell added Stormwater was also a topic. Supervisor Gardner said they talked about Hwy 305, Hwy 51, I-55 and exits. He said Sen. Wicker said so far the Republicans and Democrats seem to be in agreement in working on infrastructure together.

Supervisor Medlin said this might be a good time to get public water in Cockrum, Ingram's Mill and other parts of the County where it is needed.

Supervisor Caldwell said they did disagree on some of what infrastructure was and that they were calling a lot of social programs infrastructure. She stated there was a huge emphasis on I55, Hwy 51, the Star Landing interchange and Hwy 305.

Mrs. Lynchard stated the Lt. Gov. said he has it on good authority there will be a future transportation bill and they asked the County to focus on two project for a State match. Mrs. Lynchard said at their County Administrator's meeting it was brought out that for every dollar of the recovery money you spend; you should print the guidelines for that moment because they are changing so rapidly. She said if the County gets audited you will need to produce under the authority that you spent the money.

Supervisor Lee asked who is in charge of water in Cockrum and Ingram's Mill. Supervisor Medlin stated when they tried before they met at the fire station and tried to get people to sign up. He said Lewisburg would be the sponsor as they agreed to take on the franchise in that area. He stated a couple of subdivisions put in some money, but there were not enough people to sign up in Cockrum. He stated with the new school in that area; it would be a different story.

See Exhibit H.16.

17. FY22 Budget

Mrs. Lynchard stated that in accordance with MS Code 19-11-7, the budget guidelines were sent out to county officers and department heads, with a copy sent to the Board. She stated they met and trained everyone on how the budgets would be submitted through the new software.

See Exhibit H.17.

18. New Building Permit Requirements by MS Dept. of Revenue

Mrs. Lynchard stated the Dept. of Revenue came up with some new guidelines. Mr. Hopkins stated they are trying to make sure some contractors who do not own property or live in MS are getting taxed. He stated Planning has the contractors contact the Dept. of Revenue if they find they are not licensed. He said he thinks most developers from out of town usually ask how to pull a permit. Mr. Hopkins stated this is a Senate bill and they will post a copy of the bill in Planning. He noted that the contractors have to have a tax permit with the State. Mrs. Lynchard said they wanted the Board to know about this in case a contractor had a problem and contacted one of them.

See Exhibit H.18.

19. Report of Meeting with MDOT Regarding Highway 51

Mrs. Lynchard stated the meeting was part of a check-off for Neel Schafer for their study on Highway 51 from Church Road to Green T Road. She stated they will mainly be assessing all roads going into Highway 51 and counting driveways and any kind of cuts onto the highway. She stated this will be a two-year study.

Supervisor Medlin stated something will have to be done where Green T and Tchulahoma come into Byhalia Rd. He said a lot of people will go that way to get on the interstate after the McIngvale interchange is finished.

20. Federal Express Trucks on Highway 305

Supervisor Medlin stated the trucks on Highway 305 are worse than they have ever been. He asked the Board to support sending a letter to somebody, maybe Fred Smith, with a copy of the

minutes where the Board discussed getting the trucks off the road during the tax exemption meetings. He said he would like for the FedEx officials to come back to the Board to discuss the problem. Supervisor Medlin also said MDOT really needs to get something done at Bethel and Hwy 305, as it is very bad. Mrs. Lynchard suggested taking some video of the trucks. Supervisor Medlin stated it is pretty constant.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to send a letter to the FedEx executives and get them back down to have a discussion with the Board.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

21. Equipment for District 2 Constable Mitzi Hodge

Supervisor Gardner asked Mr. Nowak what the Board could provide for Constable Mitzi Hodge. He stated she recently purchased an automobile. Mr. Nowak stated the County has to provide identification for the vehicle; and they can purchase any other equipment that is proper for her to perform her duties. Supervisor Gardner stated Constable Hodge does not want a lot of blue lights; but perhaps they could purchase a radio. Supervisor Medlin stated constables used to get lights and a radio. Supervisor Gardner said he would contact Constable Hodge and have her call Mrs. Lynchard. Mrs. Lynchard stated the Board can approve a budget amendment if she needs it to purchase what she needs within her budget up to \$5,000.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to authorize outfitting Constable Mitzi Hodge with the necessary equipment and approve a budget amendment within her budget, if needed, up to \$5,000.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

I. PLANNING

1. Public Hearing 1:00 pm

Supervisor Caldwell made the Motion and Supervisor Lee seconded the Motion to open the Public Hearings scheduled for today.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, RAY DENISON	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

- a. **Enclave PUD (797) – Application is for rezoning of 50.46 acres from AR and C1 to PUD. Identified as parcel # 306305000 0000900 Located on the south side of Byhalia Road, west of Craft in Section 3, Township 3, Range 67 and is zoned AR and C1 (District 5)**

Applicant: Eagle Land, LLC

Supervisor Caldwell recused herself from this item.

Mr. Bob Barber came forward and requested to table this item until the June 7, 2021 meeting.

Supervisor Lee made a Motion and Supervisor Denison seconded the motion to table this item until the June 7, 2021 meeting.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, RAY DENISON	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	ABSENT
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

- b. East Lake (799) – Application is for rezoning of 120.93 acres from A to R-20. Identified as parcel # 307204000 0001002 and 307204000 0000800 located on the south and east side of Byhalia Road, west of Foxwood Lane in Section 04, Township 3, Range 7 (District 5)
Applicant: Mark Utley**

Mr. Hopkins presented the East Lake application for rezoning of 120.93 acres from A to R-20. Mr. Bill Brown was present to represent the application.

Mr. Brown stated the applicant wants a to develop a high quality development with homes in the 2,500-3,700 sqf range. He then stated the lot sizes would be 20,000 sqf and up, with the average lot size being 26,000 sqf. He stated there will be architectural requirements for the homes. Mr. Brown stated they have worked with the neighbors and the County officials.

Mr. Brown explained they did not submit a PUD because this is not an out of the ordinary plan and does not provide commercial use or a full range of lot sizes. He stated as the ordinance is written this plan is appropriate as straight zoning. He gave the following as justification of a rezoning:

- Comprehensive Plan calls for low density residential in this area
- Public water is available
- Sewer is available
- Adjacent property was recently rezoned PUD
- Another PUD was recently rezoned in the area by the City of Hernando
- Opening of I-269
- The soon to be open new exit at McIngvale Road
- There is a huge demand for residential in DeSoto County

Mr. Brown gave the following highlights of the proposed development:

- Homes will be of high architectural design
- The driveways and headwalls will be uniform
- There will be bike paths and walking trails in lieu of sidewalks
- Cedar fencing with caps and fascia board constructed by the developer and or builder
- All homes are planned to be built by Mark Utley, Jr
- Buffer from the neighbors to the north
- Dale Wilson is requesting a stub road to his property and lots on all sides of the lake will have access to the lake
- Berm along Byhalia Rd. to include the trees remaining

Mr. Nicholas Kreunen stated there will be a 30 ft no disturb buffer and the required fence must be built prior to homes being built.

Supervisor Medlin asked if there will be signage that says no parking along the bike lanes. Mr. Kreunen stated they will work with the County Engineer about the signage required/needed to keep cars from parking in the bike lanes. Supervisor Caldwell stated it may need to be included in the covenants as well.

Mr. Kreunen stated they will widen by 2 lanes at the entrances. He stated they plan to add a turn lane and decal lane. He then stated the west entrance will be included in Ph. 1 and the north entrance will be included in Ph. 2. Mr. Kreunen stated they are requesting to delay the road improvements until a later date incase changes need to be made to the proposed improvements along Byhalia Rd.

Supervisor Lee asked how far out Phase 3 is. Mr. Kreunen stated it would be approximately 5 years.

There was discussion of the possible road improvements and delaying when the improvements will be required to be installed.

Supervisor Medlin asked if all the lots are over 100 ft. wide. Mr. Kreunen stated they are.

There was discussion of how the common open space needs to be set-up so as not to be sold in a tax sale.

Supervisor Denison asked how much HOA fees will be. Mr. Kreunen stated HOA fees will be \$700 a year. Supervisor Denison asked if that is a sufficient amount to keep up all the common open space in the development. There was discussion of HOA issues not being able to maintain common open space based on the fees.

Supervisor Caldwell asked if there is a stream on the south east corner of the property. Mr. Kruenen stated it is a ditch. Supervisor Caldwell asked who will maintain the ditch. Mr. Kreunen stated the ditch will be located on the property of the lots and Mr. Utle's personal property. There was discussion concerning what can be done as far as cleaning out and stabilizing the banks of the ditch. Supervisor Caldwell stated it needs to be on the deeds that the maintenance of the ditch is the responsibility of each property owner. Mr. Utle stated they do not plan to disturb the area around the stream. Mr. Kreunen stated it is a jurisdictional stream and cannot be disturbed. He then stated they will speak with the Corp of Engineers to see what can and cannot be done regarding the stream. Supervisor Denison stated the responsibility of the ditch needs to be recorded on the plat and the deeds. Mr. Kreunen stated he can makes sure it is noted on the plat.

Supervisor Gardner asked what the fire hydrant spacing will be. Mr. Kruenen stated the fire hydrants will be a maximum of 500 ft between each other.

Supervisor Medlin asked if the walking trails will be in the 30 ft no disturb area. Mr. Kreunen stated the walking trail will be in the 30 ft common open space.

Supervisor Gardner asked if there is anyone present to speak for or against this application.

George Ready - came forward with the following concerns:

- Needs to be a policy change that all developments such as the type being requested in this area be required to be PUD
- Water issues
- Entrances for Mr. Utle's development and Mr. Wilson's development will be at the same places as the entrances for Madison Lakes Development
- Decreased traffic safety
- Increased traffic issues

- Suggested roundabouts at Jaybird Rd and Byhalia Rd and at Byhalia Rd and Green T Rd

Supervisor Medlin stated he likes PUDs also but with PUDs you get smaller lots. Mr. Ready stated he would like to see more PUDs to have more controls

Supervisor Gardner asked if Mr. Ready felt there is adequate water in the area for water suppression. Mr. Ready said no because there is not enough water pressure.

Supervisor Lee stated he spoke with the Mayor of the City of Hernando and would like the applicant to address the water concerns. Mr. Ready stated the City is representing they have the water capacity. There was discussion of the water capacity. Mr. Kreunen gave a history of the water discussions with the City of Hernando. He stated they were told months ago they could get a will serve letter for the water and that there would be infrastructure fees. He stated they were told the developer would be required to supply the waterlines and the hydrants for the development.

Supervisor Caldwell asked what the time line is for Mr. Wilson’s development to the south. Mr. Dale Wilson stated he anticipates having lots ready to sell this fall and build out to be 4 years. Supervisor Caldwell asked what the time frame is for Mr. Utley’s development. Mr. Utley stated the first phase ready by fall and the build out to be 5 years.

Supervisor Medlin asked how close sewer is to the development. Mr. Kreunen stated there is a manhole across the street from the entrance.

Supervisor Denison stated he has the following concerns:

- Roof pitches
- Home pictures do not accurately represent the requirements presented
- Windows/doors header heights are at different levels
- What will the stop signs look like
- Wants to ensure the fence are of high quality and sustainable construction
- That there be a smooth transition between this development and Mr. Wilson’s development to the south
- Feels the walking trails should be asphalt
- Feels the amenities should be in place before the first person moves into the development

Mr. Utley stated they will have adequate landscaping at each entrance installed by Michael Hatcher and Assoc. He then stated the design of the fences will be discussed in the covenants and architectural regulations. Supervisor Medlin stated the amenities definitely need to be built early in the development.

Supervisor Lee made a Motion and Supervisor Caldwell seconded the Motion to approve the East Lake application for rezoning of 120.93 acres from A to R-20 finding after consideration of the recommendation by the Planning Commission, the comments of the applicant and the public from this meeting, documents presented, his knowledge of the area, this rezoning will not adversely affect the character of the surrounding residential neighborhood, that there is substantial evidence of a change in the character of the neighborhood and there is a demonstrated public need for the zoning; the approval is conditioned upon substantial compliance with the master plan as presented, including, but not limited to the lot sizes, lot layout, home size, and the photographic representations of the home designs, ditch maintenance to be noted on the plat and the deed and that the property line goes to the centerline of the ditch, and the adoption of covenants in substantial form to those presented in the master plan.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, RAY DENISON	YES

FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

Supervisor Lee made the Motion and Supervisor Caldwell seconded the Motion to close the East Lake Rezoning Public Hearing scheduled for today.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, RAY DENISON	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

2. Preliminary Subdivision

- a. **East Lake Subdivision (SUB-00001-2021) – Application is for preliminary subdivision of 130 lots on 120.93 acres. Identified as Parcel # 307204000 0001002 and 307204000 0000800, located on the south and east side of Byhalia Road, west of Foxwood Lane in Section 04, Township 3, Range 7 is zoned R-20 (pending approval) (District 5)
Applicant: Mark Utley**

Mr. Hopkins presented the East Lake preliminary subdivision staff report for approval of 130 lots on 120.93 acres. Mr. Nick Kreunen was present to represent the application.

Supervisor Denison asked who enforces the required minimum square footage of homes. Mr. Cardosi stated it can be looked at when house plans are submitted.

Supervisor Lee stated the buffer needs to be maintained on the northern property line.

Mr. Kreunen stated that all rear fences along the berm must be located within the berm can be addressed in the covenants.

Mr. Utley stated they will work on the amenities phase by phase simultaneously with the construction of the homes. He then stated that all front elevations will be 18 inches above grade.

Supervisor Caldwell stated that on the smaller lakes there will need to be some source to fill up lakes as needed.

Supervisor Lee made a Motion and Supervisor Medlin seconded the Motion to approve the East Lake application for preliminary subdivision of 130 lots on 120.93 acres to include an 18 inch front elevation, Lot 13 will become a stub road to the Wilson Property to the south to include utilities, the required lane and half to Byhalia Road to be secured by bond or letter of credit at the time that the final plat is brought in for approval and approval for the Board President to sign the Residential Development Agreement and the Erosion Control Agreement.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, RAY DENISON	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

3. Minor Lot

- a. **Spring Hill Minor Lot (SUB-000026-2021) - Final Approval of 3 lot(s) on 15.21 acres to include a waiver of easement length. Identified as Parcel # 2-07-7-35-00-0-00013-01 Identified as Parcel # 2076130000000500. Subject property is located on the east side of Pleasant Hill Road and south of College Rd in Section 13, Township 2, Range 7 (District 5) Applicant: Joe Whitfield**

Mr. Hopkins presented the Spring Hill Minor Lot application for approval of 3 lots on 15.21 acres to include a waiver of the easement length. Mr. Joe Whitfield was present to represent the application

Mr. Whitfield stated that he is requesting to divide the property in to 3 lots for 3 homes. He stated that two family members are wanting to purchase the lots to build homes on.

Supervisor Caldwell stated she is concerned that property owners down the road will want the County to take in the private drive as a county road. She then stated they need to make sure the landowners know this is a private drive not a County road.

Supervisor Gardner asked if there will be a place for a fire truck to turn around. Mr. Whitfield stated there will be.

Supervisor Medlin made a Motion and Supervisor Lee seconded the Motion to approve the Spring Hill Minor Lot application for approval of 3 lots on 15.21 acres to include a waiver of the easement length.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, RAY DENISON	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

- b. **Alex Woods Estates, Rev. of Lot 15 (SUB-000028-2021) -Final Approval of 5 lot(s) on 11.95 acres to include a waiver of easement length. Identified as Parcel # 3077360000001500. Subject property is located on the north side of Byhalia Road and east of Laughter Rd in Section 36, Township 2, Range 7 (District 5) Applicant: KO Capital, LLC**

Mr. Hopkins presented the Alex Woods Estates, Rev. of Lot 15 application for approval of 5 lots on 11.95 acres to include a waiver of the easement length. Mr. Joe Whitfield was present to represent the application.

Supervisor Lee asked if two of the lots will face Byhalia Rd. Mr. Whitfield stated they will. Mr. Whitfield then stated the 3 lots in the rear are being purchased by one family.

Supervisor Caldwell asked if all the mailboxes and garbage cans for the 5 lots will go in the same3 location. Mr. Whitfield stated they will.

Supervisor Caldwell asked how long the easement is. Mr. Whitfield stated the easement is 800 ft long. Supervisor Caldwell stated it needs to be noted on the plat that maintenance of the driveway is not the responsibility of the County.

Supervisor Medlin made a Motion and Supervisor Lee seconded the Motion to approve the Alex Woods Estates, Rev. of Lot 15 application for approval of 5 lots on 11.95 acres to include a waiver of the easement length.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, RAY DENISON	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

- c. **Lee Corner Minor Lot (SUB-000045-2021) - Final Approval of 6 lot(s) on 19.85 acres to include a waiver of easement length. Identified as Parcel # 306120000000500. Subject property is located on the west side of Lee Road and south of Byhalia Rd in Section 12, Township 3, Range 6 (District 5) Applicant: April Perkins**

Mr. Hopkins presented the Lee Corner Minor Lot application for approval of 6 lots on 19.85 acres to include a waiver of the easement length. Mrs. April Perkins was present to represent the application.

Supervisor Medlin stated he spoke with Mrs. Perkins and the lots will have covenants and the minimum house size will be 3,000 sqf.

Mrs. Perkins stated there will be a turn around on the private drive for fire trucks. She then stated there will be written disclosure that all property owners will be required to help maintain the private drive.

There was discussion of drainage. Mrs. Perkins stated the site is very wooded and she does not plan to take down any more trees than necessary.

Supervisor Medlin asked if she will be putting in water to the lots. Mrs. Perkins stated it depends on what is more cost effective. Supervisor Medlin stated if public water is available then she needs to install water.

Supervisor Medlin made a Motion and Supervisor Lee seconded the Motion to approve the Lee Corner Minor Lot application for approval of 6 lots on 19.85 acres to include a waiver of the easement length to include a waiver of the easement length, approval is conditioned upon the applicant supplying public water, adoption of covenants addressing minimal house size, easement maintenance and other matters as appropriate and the applicant discussing with the waste company about building a screened area for the garbage cans.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, RAY DENISON	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

4. Consent Minor Lot

- a. **Gray/Robertson Minor Lot, 1st Rev (SUB-000049-2021) - Final Approval of 2 lot(s) on 3.94 acres. Identified as parcel 3079310000002901. Subject property is located on the north side of Belmont Road and east of Hwy 51 in Section 31, Township 3, Range 7 (District 5) Applicant: Keith & Jacqueline Newsum**
- b. **Reid Estates Minor Lot (SUB-000050-2021) - Final Approval of 5 lot(s) on 9.11 acres. Identified as parcel 3077360000000201 and 3077360000000400. Subject property is located on the north side of County Line Road and west of Smith Road in Section 36, Township 3, Range 7 (District 5)**

Applicant: Jeremy Reid

- c. Gill Manor Minor Lot (SUB-000050-2021) - Final Approval of 4 lot(s) on 6.23 acres. Identified as parcel 208726100001100. Subject property is located on the east side of Gill Road and south of Nesbit Rd in Section 26, Township 2, Range 8 (District 4)**
Applicant: KO Capital, LLC

Mr. Hopkins presented the Consent Agenda items above. He then stated the applications meet all Subdivision Ordinance requirements.

Supervisor Lee made the Motion and Supervisor Medlin seconded the Motion to approve the items and actions set forth on the Consent Agenda as presented.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, RAY DENISON	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

5. Other

- a. Request to change timing of planning items on the Board agenda – Greg Ryan**

Mr. Cardosi presented the request by Mr. Greg Ryan concerning waiting for the items heard by the Planning Commission to be heard by the Board of Supervisors until after the minutes of the Planning Commission are approved by the Planning Commission. No action was taken.

- b. Refund – Moore**

Mr. Hopkins presented a request by Cynthia Moore for a refund of fees for Variance application in the amount of \$50.00. She decided to not pursue the Variance.

Supervisor Caldwell made a Motion and Supervisor Denison seconded the Motion to approve the refund request by Cynthia Moore for a refund of fees for Variance application in the amount of \$50.00 to include authorization for the Clerk to write the check.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, RAY DENISON	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

See Exhibit I.

J. EXECUTIVE

The executive session portion of these minutes is recorded under the portion of the minutes called “Executive Session”.

Supervisor Jessie Medlin made the motion and Supervisor Ray Denison seconded the motion to adjourn the Board meeting until Monday, June 07, 2021 at 9:00 a.m.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Ray Denison, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

THIS the 7th day of June, 2021, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Mark Gardner, President
DeSoto County Board of Supervisors